

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD ON WEDNESDAY, JULY 15, 2020 AT 6:00 P.M. IN THE CITY OF LAS VEGAS CITY COUNCIL CHAMBERS**

**MAYOR:** Louie A. Trujillo

**COUNCILORS:** Joseph Baca (*left meeting at 7:55 p.m.*)  
Michael Montoya  
David Ulibarri, Jr.  
David Romero

**ALSO PRESENT:** Bill Taylor, City Manager  
Casandra Fresquez, City Clerk  
Scott Aaron, City Attorney  
David Bibb, III, Sergeant at Arms

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE**

Councilor Romero asked to remember those community members who had recently passed and prayed for guidance in making good decisions that were in the best interest of the community.

**APPROVAL OF AGENDA**

Councilor Romero made a recommendation to move Executive Session before the Mayor's Appointments/Reports.

City Clerk Fresquez stated she also had a recommendation to remove Business Item #10, Presentation by Leah Knutson (unable to attend) and Business Item #6 Resolution 20-38 (further discussion needed by Lodgers Tax Board).

Councilor Romero requested that when Business Item #6 is brought back to Council for their consideration that the proposed grant be included in the back up information.

Councilor Romero made the motion to approve the agenda with the said recommendations. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Joseph Baca	Yes	David Romero	Yes
Michael Montoya	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

### **EXECUTIVE SESSION**

Councilor Romero made a motion to go into Executive Session to discuss personnel matters permitted by Section 10-15-1 (H)(2) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	Joseph Baca	Yes
David Romero	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to exit the Executive Session and stated that only personnel matters were discussed and no action was taken. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
Joseph Baca	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

Councilor Romero made a motion to return to Regular Session. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
Joseph Baca	Yes	David Ulibarri, Jr.	Yes

City Clerk Fresquez advised the motion carried.

**MAYOR’S APPOINTMENTS/REPORTS**

1. Approval to appoint Adrian Crespin as Police Chief for the City of Las Vegas and enter into a Professional Contract.

Mayor Louie A. Trujillo advised as per City of Las Vegas Municipal Charter, Article V, Officers, Directors and Employees, Section 5.06. City Manager, A. The Mayor shall appoint the Chief of Police, subject to Council approval. The Governing Body shall enter into a contract with the chief of police, which shall establish, among other matters, compensation, benefits, duties and responsibilities.

Mayor Trujillo read a statement as follows: *“As part of tonight’s City Council Agenda entitled Section VI. Mayor’s Appointment/Reports contains matters that I as the Mayor of the City, bring to the general public by way of the City Council the public was given notice through publication of tonight’s agenda, that I would be appointing Adrian Crespin as Police Chief of Las Vegas. Based on the statements made in the local media by current and former members of the body and by the general public, there is much confusion regarding the lawful procedure for appointing and approving Adrian Crespin as Police Chief of Las Vegas. This is not the first time that such confusion has existed regarding the roles of the Mayor and the City Council as they relate to appointed city Officials, in the interest of transparency and adhering to legal requirements in the City Charter my report to the City Council includes bringing Attorney Danelle Smith who has served for 30 years in various roles in the community, including City Attorney, District Attorney Office, private practice and recently Board of Regents at New Mexico Highlands. Just to name a few, Ms. Smith has legal experience in a similar matter regarding the appointing City officials and she is uniquely positioned to address the Council and the general public regarding this matter, it is my hope that Ms. Smith’s briefing can dispel any confusion and conflict so that the City Council can move forward in serving our community by appointing the Police Chief”.*

Attorney Danelle Smith spoke regarding this matter via telephone conference, briefly giving her background as City Attorney. She advised that on the subject of removing the Chief of Police, her opinion of this particular matter stood the same since the City Charter was adopted. Relating to the appointments of the four officers by the Mayor and confirmation by Council, felt there was no need for removal of the Chief of Police with the approval by Council. She advised that those positions were through contract and would expire right at the period of the

end of election/run-off election and personally thought that these contracts should run through the end of the Mayor's current term instead of a yearly contract. She felt that removal was not necessary, due to those positions expiring.

Councilor Romero asked Ms. Smith if it was a personal or a paid opinion that they were receiving from her.

Ms. Smith advised that this was her opinion of years of experience as City Attorney and she was not being paid by the City or had a contract with the City.

Councilor Romero stated he had concerns on annotations in the New Mexico State Statute, Section 3-11-5 regarding the Mayor's appointments taking place at the Organizational Meeting.

Ms. Smith advised that the City of Las Vegas was a Home Rule municipality, state statute did not apply and that the Home Rule City Charter prevailed.

Further discussion took place regarding the appointment of Police Chief and the retirement of current Police Chief.

Councilor Romero stated that he understood appointments were made by the Mayor and felt that Council was not forcing him to keep the current Police Chief although his main concern was the process, that his question was whether it was retirement resignation or removal should come before appointment.

Ms. Smith advised that she had much respect for Chief Bibb and his family, what she had already stated publicly was her opinion as past City Attorney.

Councilor Baca spoke of concerns regarding any Official appointing relatives, long-time friends or associates to top positions. He stated that in his opinion and what history had shown, that a true leader does not surround himself/herself with people who would always agree with that person although would need to give objective information. He asked the Mayor to clarify the relationship between him and Adrian Crespín due to some people in the community thinking they were friends.

Mayor Trujillo stated, "*Adrian has never been my friend, we have never hung out, occasionally maybe, yes but he's never been a personal friend of mine.*"

Councilor Baca stated, *"Okay I will take you for your word Mayor"*.

Councilor Montoya congratulated Ms. Smith, on her appointment to NMHU Board of Regents, thanked her for her work on the 2004 Charter revision as Legal Advisor. He advised that Chief Bibb submitted a letter of retirement and his contract had expired and the main concern was protecting the City from lawsuits and thanked Ms. Smith for her confirmation and expertise.

Councilor Romero made a motion to table the Mayor's appointment of Adrian Crespin to the next meeting of Mayor's desire and within that meeting to also include the acceptance of Chief Bibb's retirement letter. Councilor Baca seconded the motion.

Discussion and questions took place regarding tabling the Mayor's appointment.

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	No	Joseph Baca	Yes
David Romero	Yes	David Ulibarri, Jr.	No

City Clerk Fresquez advised that there was a tie.

Mayor Trujillo voted "No" and broke the tie.

City Clerk Fresquez advised that the motion did not carry.

Councilor Montoya asked Legal Counsel, if it would be proper for the record to make a motion to approve Mr. Crespins appointment at this time.

City Attorney Aaron stated "If the Council so chooses, a motion could be made".

Councilor Montoya made a motion to appoint Adrian Crespin as Police Chief for the City of Las Vegas and enter into a Professional Contract. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Councilor Romero stated that this had nothing to do with Mr. Crespin personally, it was the process he was against and was approving the appointment.

David Ulibarri, Jr.	Yes	Joseph Baca	No
David Romero	Yes	Michael Montoya	Yes

City Clerk Fresquez advised that the motion carried.

Newly appointed Police Chief Adrian Crespin thanked God, his family and everyone for their support in his appointment and entrusting him to work for the betterment of the City of Las Vegas and the Police Department and hoped everyone could work together in the vision of having a better and safer community.

Councilor Baca took the opportunity to advise Mr. Crespin that his vote was not against him or his family personally and he was only against the Mayor's process of non transparency.

**COUNCILORS' REPORTS**

Councilor Montoya thanked Councilor Ulibarri, Jr. for the success regarding the cleanup in Ward 1 and City staff for their support, he encouraged businesses to get involved and Ward 4 Cleanup would soon be taking place. He informed the Salvation Army on Grand Avenue would be distributing food at the end of July.

Councilor Ulibarri, Jr. thanked everyone for helping with the Ward 1 Cleanup which turned out to be very successful and encouraged City staff to participate.

Councilor Romero thanked Dr. Taylor for addressing issues in a timely manner and asked if the issue of speed bumps at Creston Circle could be looked into. He asked the Mayor for an update on the Police Advisory Committee.

Mayor Trujillo advised that would be coming in about a week and Council would be asked for names to be submitted.

**MAYOR'S RECOGNITIONS/PROCLAMATIONS**

None at this time.

**PUBLIC INPUT**

Beth Rings spoke of concerns and had questions regarding Business Item #9.

Mayor Trujillo advised Ms. Rings that he would have City Manager contact her to address her concerns.

Brief discussion took place regarding point of order and rules of public input.

Mayor Trujillo stepped out and Mayor Pro Tem Romero temporarily took the seat.

### **CITY MANAGER'S REPORT**

City Manager Taylor reported on current projects taking place as follows:

- |   |   |
|---|---|
| 1. Special Mtg. (Budget Approval)<br>July 30, 2020  | 4. Recreation Department only open 8 hrs. A day   |
| 2. City Retreat Form (Potential Dates)  | 5. City of Las Vegas issuing temporary permits<br>to local businesses   |
| 3. Recreation Center (Temporarily closed Monday,<br>7.13.20 from 9:00 a.m.-12:00 p.m due to a patron<br>testing positive for COVID-19-Precaution taken) | 6. \$20,000 Contract to Chamber of Commerce<br>to be presented at Special Mtg. July 30, 2020<br>(Taking over the Visitor's Center location) |

### **FINANCE REPORT**

Deputy Finance Director Dominic Chavez presented the Finance Report for the month ending June 30, 2020 (100% of year lapsed) reporting the General Fund revenue at 107% (\$12,158,411) and expenditures were at 82% (\$10,626,322). He reported the Enterprise Funds revenue at 97% (\$16,480,305) and expenditures at 80% (\$16,666,769). Recreation Department revenues came in at 83% (\$525,360) and expenditures at 88% (\$636,614).

Mr. Chavez reported the Lodgers Tax Finance Report for the month ending June 30, 2020 advising revenue at 89% (\$366,446) and expenditures at 53% (\$295,580) and informed that there were no concerns regarding the Finance Report to report to the Governing Body.

Councilor Romero felt it was important to continue to receive the Check Report as they had been.

City Manager Taylor advised that they would begin to provide the Check Report again and informed the Governing Body they would submit a name to them at the upcoming budget for Finance Director.

**CONSENT AGENDA**

***1. Approval of Resolution No. 20-36 A resolution to extend City Contracts until a budget is finalized.***

Resolution 20-36 was presented as follows:

**City of Las Vegas, New Mexico  
Resolution No. 20-36**

**A RESOLUTION TO EXTEND CITY CONTRACTS UNTIL  
A BUDGET IS FINALIZED**

**WHEREAS**, the City of Las Vegas is a party to multiple contracts which end on June 30, 2020; and

**WHEREAS**, due to current financial uncertainties and the deadline for the City's budget being Delayed until July 31, 2020, many of said contracts cannot be renewed until a new budget is finalized; and

**WHEREAS**, it is in the best interests of the City for the Governing Body to grant the City Manager the authority to extend the contracts that are essential or beneficial to the City; and

**WHEREAS**, the City Manager would make the decision regarding contract extension on an individual basis after reviewing each contract.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Las Vegas, that the recitals are incorporated herein by reference and the Governing Body hereby gives the City Manager the authority to extend any contracts to which the City is a party which the City Manager deems essential or beneficial to the City.

APPROVED AND ADOPTED this \_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Mayor Louie A. Trujillo

ATTEST:

Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

**2. Approval of Biennial Memorandum of Understanding (MOU) and Resolution 20-32 supporting a Public-Private Economic Development Project with new Mexico MainStreet and MainStreet de Las Vegas.**

**3. Approval to award RFP 2020-11 portable flame ionization survey for the gas division to Heath Consultants.**

**4. Approval to award RFP 2020-12 for on call services for maintenance and emergency repairs to the City's natural gas transmission lines to DUB-L-EE Construction.**

City Clerk Fresquez asked Mayor Trujillo if Councilor Baca would be returning to the meeting.

Mayor Trujillo stated that he left.

Councilor Ulibarri, Jr. made a motion to approve the Consent Agenda (Items 1-4). Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

### **BUSINESS ITEMS**

1. Conduct a public hearing and approval/disapproval to adopt Ordinance 20-04 to amend the code of the City of Las Vegas, Chapter 66, Personnel Rules, Section 52, entitled Vacation Leave.

Councilor Montoya made a motion to enter into Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

City Attorney Scott Aaron asked anyone who wished to speak on this matter, to stand and be sworn in. Donna Castro was sworn in.

Human Resource Director Donna Castro asked the Council to review and consider changes to the City's vacation policy so that the policy reflected current practice, the Ordinance had met the publication requirements and advised they were in the process of working on the sick leave donation program to donate vacation time to the sick leave bank.

Brief discussion took place in regard to the publication of the Ordinance.

Councilor Romero made a motion to close Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

Councilor Romero made a motion to approve to adopt Ordinance 20-04 to amend the Code of the City of Las Vegas, Chapter 66, Personnel Rules, Section 52, entitled Vacation Leave. Councilor Ulibarri, Jr. seconded the motion.

Ordinance 20-04 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

2. Conduct a public Hearing and Approval/Disapproval to adopt Ordinance 20-03 amending the current Fire Code.

Councilor Montoya made a motion to go into Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

City Attorney Scott Aaron asked anyone who wished to speak on this matter, to stand and be sworn in. Stephen Spann was sworn in.

Deputy Fire Chief Steven Spann advised that an update was needed to the current fire code enforcement standards, which would be in compliance and coincide with the New Mexico State Fire Marshal's office. This would also establish the city of Las Vegas Code Enforcement Bureau standards, penalties, fees and enforcement process.

Councilor Romero made a motion to close Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	David Ulibarri, Jr.	Yes
Michael Montoya	Yes		

City Clerk Fresquez advised that the motion carried.

Councilor Romero made a motion to approve to adopt Ordinance 20-03 amending the current Fire Code. Councilor Montoya seconded the motion.

Resolution 20-03 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

3. Conduct a public hearing and approval/disapproval of application #1154391 requesting a Small Brewer Liquor License for Wanted Brewing Company, LLC, DBA Wanted Brewing & Distilling company located at 400 Grand Ave., Las Vegas, NM.

Councilor Romero made a motion to go into Public Hearing. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

City Attorney Scott Aaron asked anyone who wished to speak on this matter, to stand and be sworn in. Casandra Fresquez and Bryan McGill, Owner were sworn in.

City Clerk Casandra Fresquez advised that the Wanted Brewing Company LLC submitted an application for a small brewer liquor license, with on premises consumption and package sales, with patio service and that public hearing and zoning requirements had been met.

Mr. McGill stated that they were excited to get the business going and would be good for Las Vegas.

Councilor Romero asked if there were any planning & zoning concerns regarding the license.

City Attorney Aaron swore Maria Perea in.

Ms. Perea advised that the only concerns were water consumption, which were already addressed by the Utilities Department over a year ago at the Board of Adjustments meeting on this matter. She advised another concern was the disposal of the company's waste.

Mr. McGill informed the waste would be donated to a pig farmer in Rivera, N.M.

Councilor Montoya asked if letters of notification were sent to neighbors and if there was sufficient parking.

Ms. Perea informed that letters were sent to neighbors, with no complaints received and there was sufficient parking and they had access to a vacant lot across the street belonging to Phil Warfield.

Councilor Montoya asked how many people they would be employing.

Mr. McGill also informed there were 20 parking spaces available in the area adjacent to the business and they would eventually begin with 6-10 people being hired.

Councilor Romero made a motion to close Public Hearing. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

Councilor Romero made motion to approve application #1154391 requesting a Small Brewer Liquor License for Wanted Brewing Company, LLC, DBA Wanted Brewing & Distilling Company located at 400 Grand Ave., Las Vegas, NM. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

4. Conduct a public hearing and approval/disapproval of application #1154392 requesting a Craft Distiller Liquor License for Wanted Brewing Company, LLC, DBA Wanted Brewing & Distilling company located at 400 Grand Ave., Las Vegas, NM.

Councilor Romero made a motion to enter into Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	David Ulibarri, Jr.	Yes
Michael Montoya	Yes		

City Clerk Fresquez advised that the motion carried.

City Attorney Aaron informed that everyone who was previously sworn in, were still under oath.

City Clerk Fresquez advised that the Wanted Brewing Company LLC submitted an application for a craft distiller liquor license, with on premises consumption and package sales, with patio service and that public hearing and zoning requirements had been met.

Councilor Romero made a motion to go back into Regular Session. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

Councilor Montoya made a motion to approve application #1154392 requesting a Craft Distiller Liquor License for Wanted Brewing Company, LLC, DBA Wanted Brewing & Distilling Company located at 400 Grand Ave., Las Vegas, NM. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

5. Approval/Disapproval of Resolution No. 20-33 Annual Open Meetings resolution.

City Clerk Fresquez advised that Resolution 20-33 establishes reasonable notice of Council meetings in compliance with the Open Meetings Act and that Mayor and Council had requested amendments to the scheduling of their meetings. She advised that changes would be made regarding dates for the council meetings, it was decided to have two Regular meetings at 5:30 p.m. moving up the Housing meeting to 5:00 p.m. She advised that one Councilor wanted the 1st and 3rd Wednesdays of the month, a couple wanted the dates to stay the same and 1 did not have a preference.

Discussion took place on several reasons for the date changes on Council meetings and procedures to be taken to change meetings if needed.

Councilor Ulibarri, Jr. made a motion to approve Resolution No. 20-33 Annual Open Meetings Resolution. Councilor Romero clarified that the meeting dates would stay as is and seconded the motion.

Resolution 20-33 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	David Romero	Yes
Michael Montoya	Yes		

City Clerk Fresquez advised that the motion carried.

*Business Item #6 - Removed during approval of the agenda.*

#### 7. Approval/Disapproval of Lodger's Tax Fiscal Budget.

Community Development Director Bill Henderickson presented on the annual operating budget, funding to market the community to potential visitors, support visitor/tourist facilities and grant financial support to community events that attract visitors to Las Vegas. He stated that in the budget there was a line item for \$85,000 for Fiscal Year 2021 Projected Income and they had previous discussion with the Lodgers Tax Board in regard to not considering that because of the unknown although still included it in the budget. He stated that was the reason it

showed a large net balance at the end of the year, having not spent monies as planned.

Councilor Ulibarri, Jr. made a motion to approve the Lodger's Tax Fiscal Budget. Councilor Romero seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

8. Approval/Disapproval to renew existing contracts with Las Vegas First Independent Business Alliance for Highway Billboard Advertising. Total cost is \$27,435.00.

Community Development Director Henderickson advised this advertising was to create awareness and promotion of Las Vegas and to give pertinent information to perspective travelers.

Discussion and questions took place regarding the procurement process of obtaining contractors for billboard advertising and of better location of billboards.

Councilor Montoya made a motion to approve to renew existing contracts with Las Vegas First Independent Alliance for Highway Billboard Advertising . Total cost is \$27,435.00. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	No
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

9. Approval/Disapproval of Resolution No. 20-40, authorizing the sale of the unused and vacant properties identified on the list attached hereto as Exhibit A and authorizing the City of Las Vegas to prepare a Request for Proposal for appraisal services for said properties.

Community Development Director Hendrickson and Planning & Zoning Coordinator Maria Perea advised that the City of Las Vegas is the record owner of several properties which are unused and vacant, the properties are not being utilized by the City and the City has no intention of utilizing the properties in the foreseeable future. These properties are identified on the list attached hereto as Exhibit A.

Lengthy discussion took place regarding the procedures of the sale of the vacant properties, advertising by placing the resolution on City's website, concerns of long term financial impact if properties were sold and of the City's benefits in selling those properties.

Councilor Ulibarri, Jr. made a motion to approve Resolution No. 20-40, authorizing the sale of the unused and vacant properties identified on the list attached hereto as Exhibit A and authorizing the City of Las Vegas to prepare a Request for Proposal for appraisal services for said properties. Councilor Montoya seconded the motion.

Resolution 20-40 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

10. Approval/Disapproval of Resolution No. 20-34, request for a match waiver administered by Department of Finance and Administration (DFA) and the New Mexico Department of Transportation (NMDOT) in the amount of \$29,447.00 for Grant Agreement L400500.

Public Works Manager Daniel Gurule advised that the City of Las Vegas has a limited tax base, which limits the funding for meeting the proportional matching share, and a fund exists appropriate by New Mexico State Legislature for Public Entities in need of "Hardship" match money and the City of Las Vegas requests participation in this Match Waiver Program in the amount of \$29,447.00, for the

plan, design construction, reconstruction, pavement rehabilitation, drainage improvements, construction management and miscellaneous construction on West National Avenue.

Councilor Romero made a motion to approve Resolution No. 20-34, request for a match waiver administered by Department of Finance and Administration (DFA) and the New Mexico Department of Transportation (NMDOT) in the amount of \$29,447.00 for Grant Agreement L400500. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-34 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO**  
**Resolution No. 20-34**  
**A RESOLUTION TO APPLY FOR A MATCH WAIVER REGARDING**  
**NMDOT GRANT AGREEMENT L400500**

**WHEREAS**, the City of Las Vegas (“City”) received a Local Government Road Fund Cooperative Grant Agreement No. L400500 (“Grant”); and

**WHEREAS**, the total cost of the Grant being \$117,787.00, of which NMDOT’s share is \$88,340.00 (75%) and the City’s share is \$29,447.00 (25%); and

**WHEREAS**, the City desires to apply for participation in the match waiver program in the amount of \$29,447.00 to defer the costs of the City’s 25% of the Grant.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Las Vegas that the recitals are incorporated herein by reference and the Governing Body accepts the Grant, agrees to contribute 25% of the Grant amount in order to obtain the Grant, and agrees apply for the match waiver program in the amount of \$29,447.00..

APPROVED AND ADOPTED this \_\_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

11. Approval/Disapproval of Resolution 20-35 and Local Government Road Fund Cooperative Agreement (COOP) administered by the New Mexico Department of Transportation (NMDOT).

Public Works Manager Gurule advised that as part of the COOP Agreement submittal criteria for the NMDOTm it is required that a resolution of support from our Local Governing Body accompany Grant Agreement for the plan , design construction, reconstruction, pavement rehabilitation, drainage improvements, construction management and miscellaneous construction on West National Avenue.

Councilor Romero made a motion to approve Resolution 20-35 and Local Government Road Fund Cooperative Agreement (COOP) administered by the New Mexico Department of Transportation (NMDOT). Councilor Montoya seconded the motion.

Resolution 20-35 was presented as follows:

**CITY OF LAS VEGAS, NEW MEXICO**  
**Resolution No. 20-35**  
**A RESOLUTION TO APPLY FOR AND ACCEPT THE GRANT**  
**OFFER FROM THE NEW MEXICO DEPARTMENT OF**  
**TRANSPORTATION (NMDOT) FOR WEST NATIONAL AVENUE**

**WHEREAS**, the City of Las Vegas (“City”) has applied to the New Mexico Department of Transportation (“NMDOT”) for a grant for planning, designing, construction, reconstruction, pavement rehabilitation, drainage improvements, construction management, and miscellaneous construction; and

**WHEREAS**, the City expects to receive the Grant in a total amount of \$88,340.00; and

**WHEREAS**, the City would have to contribute 25% (\$29,447.00) in order to receive the Grant of \$88,340.00 (75%) for a total amount of \$117,787.00 to include New Mexico gross receipts tax; and

**WHEREAS**, improvements are needed on West National Avenue for the safety and well being of the residents of Las Vegas, New Mexico; and

**WHEREAS**, the Grant will be used for road improvements on West National Avenue.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Las Vegas that the recitals are incorporated herein by reference and the Governing Body accepts the Grant, agrees to contribute 25% of the Grant amount in order to obtain the Grant, and agrees to use the Grant for road improvements on West National Avenue.

APPROVED AND ADOPTED this \_\_\_\_\_ day of July, 2020.

\_\_\_\_\_  
Louie A. Trujillo, Mayor

ATTEST: Reviewed and approved as to legal sufficiency only:

\_\_\_\_\_  
Casandra Fresquez, City Clerk

\_\_\_\_\_  
Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

12. Approval/Disapproval of Resolution No. 20-41 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority.

Utilities Director Maria Gilvarry advised this resolution would allow the City to submit an application to NMFA for funding to complete the Hot Springs waterline replacement project. The funding amount requested is \$800,000 with a subsidy amount eligible of \$600,000. She informed that this funding was for 5 Utility projects and all were approved by the Utility Advisory Board.

Councilor Romero made a motion to approve Resolution 20-41 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-41 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

13. Approval/Disapproval of Resolution No. 20-42 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority.

Utilities Director Gilvarry stated this resolution would allow the City to submit an application to NMFA for funding to complete the SCADA project for the existing water treatment plant facility. The funding amount requested is \$500,000 with a subsidy amount eligible of \$375,000. The funding agency requires that the application be submitted through an approved resolution.

Councilor Romero made a motion to approve Resolution No. 20-42 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-42 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

14. Approval/Disapproval of Resolution No. 20-43 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority .

Utilities Director Gilvarry advised this would allow the City to submit an application to NMFA for funding to replace the facility clarifier sedimentation basin vacuum system at the existing water treatment plant facility. The funding amount requested is \$300,000 with a subsidy amount eligible of \$225,000. The funding requires that the application be submitted through an approved resolution.

Councilor Romero made a motion to approve Resolution No. 20-43 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-43 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion be carried.

15. Approval/Disapproval of Resolution No. 20-44 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority.

Utilities Director Gilvarry advised this resolution would allow the City to submit an application to NMFA for funding to complete the Hanna Park re-use system expansion project. The funding amount requested is \$500,000 with \$500,000 with a subsidy amount eligible of \$375,000. The funding agency requires that the application be submitted through an approved resolution.

Councilor Montoya made a motion to approve Resolution No. 20-44 for submission of a completed application for financial assistance and project

approval to the New Mexico Finance Authority. Councilor Romero seconded the motion.

Resolution 20-44 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Ulibarri, Jr.	Yes	Michael Montoya	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

16. Approval/Disapproval of Resolution No. 20-45 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority.

Utilities Director Gilvarry advised this resolution would allow the City to submit an application to NMFA for funding to replace pumps at the existing water treatment plant facility. The funding amount requested is \$200,000 with a subsidy amount eligible of \$150,000. The funding agency requires that the application be submitted through an approved resolution.

Councilor Romero made a motion to approve Resolution No. 20-45 for submission of a completed application for financial assistance and project approval to the New Mexico Finance Authority. Councilor Ulibarri, Jr. seconded the motion.

Resolution 20-45 was presented as follows: *Due to the length of the document, a complete copy may be obtained from the City of Las Vegas, City Clerk's Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Romero	Yes
David Ulibarri, Jr.	Yes		

City Clerk Fresquez advised that the motion carried.

Utilities Director Gilvarry advised that the total subsidy was 1.7 million dollars.

17. Approval/Disapproval to publish Ordinance No. 20-06 to amend the Code of the City of Las Vegas Labor Management Relations Ordinance deleting and repealing Chapter 48 Sections 1 through 22.

City Attorney Scott Aaron advised due to recent state legislation and actions taken by the Governor of New Mexico, the state labor relations board, and the parties affected by labor relations board decisions, are consolidating the function and reach of the state labor relations board in lieu of having such disputes handled by the local labor relations boards. To comply with recent state legislation and the actions taken by our Governor, the City of Las Vegas should delete and repeal its Labor Management Relations Ordinance in favor of having all such labor disputes handled in a more uniform fashion by the state labor relations board.

Councilor Romero made a motion to approve to publish Ordinance No. 20-06 to amend the Code of the City of Las Vegas Labor Management Relations Ordinance deleting and repealing Chapter 48 Sections 1 through 22. Councilor Ulibarri, Jr. seconded the motion.

Councilor Montoya asked Mayor Trujillo if that was his recommendation.

Mayor Trujillo stated "Yes".

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

Michael Montoya	Yes	David Ulibarri, Jr.	Yes
David Romero	Yes		

City Clerk Fresquez advised that the motion carried.

### **ADJOURN**

Councilor Ulibarri, Jr. made a motion to adjourn. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

David Romero	Yes	Michael Montoya	Yes
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David Ulibarri, Jr.      Yes

City Clerk Fresquez advised that the motion carried.



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Mayor Louie A. Trujillo

ATTEST:



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Casandra Fresquez, City Clerk